

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

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*Counsel for Defendants*

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**WESTERN ORGANIZATION OF  
RESOURCES COUNCILS,**

**Plaintiff,**

**vs.**

**RYAN ZINKE, *et al.*,**

**Defendants.**

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**CV 18-139-M-DWM**

**DEFENDANTS' MOTION TO  
DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6),

Defendants move to dismiss the above-captioned action. The reasons for this motion are set forth in a separate memorandum of points and authorities filed herewith.

Respectfully submitted this 2nd day of November, 2018,

**JOSEPH H. Hunt  
Assistant Attorney General**

MARCIAN BERMAN  
Assistant Branch Director

/s/ Michael H. Baer

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